

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT ELECTRONIC MAIL AND INTERNET USE	Number 90.62	Issue 1	Page 1 of 6
	Effective Date October 1, 1996		

1. Purpose

- 1.1 To establish policies and procedures for the use of the City's electronic mail system (E-Mail) and the Internet by City employees.

2. Scope

- 2.1 This regulation applies to all City employees using the City of San Diego's E-Mail system, computer systems and Internet services in the performance of their job duties.
- 2.2 This regulation applies to all other persons, such as consultants, elected officials, authorized volunteers, special committee members and other affiliates who may use these City systems in the performance of their City related job duties.
- 2.3 This regulation applies to the use of City equipment and to non-City equipment that may be used by City employees to remotely access these services in the course of telecommuting or for other work-related purposes.

3. Definitions

- 3.1 E-Mail is the electronic transfer of information typically in the form of electronic messages, memoranda, and attached documents from a sender to one or more recipients via an intermediary telecommunication service.
- 3.2 Network E-Mail comprises the E-Mail platforms used by the City and supported by the San Diego Data Processing Corporation (SDDPC) such as TSO Mail and GroupWise.

(Administrative Regulation 90.62, Issue 1, effective September 5, 1996.)

Authorized

(Signed by Jack McGrory)

CITY MANAGER

(Signed by Rich Snapper)

PERSONNEL DIRECTOR

(Signed by Casey Gwinn)

CITY ATTORNEY

(Signed by Ed Ryan)

CITY AUDITOR/COMPTROLLER

(Signed by Charles G. Abdelnour)

CITY CLERK

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- 3.3 The Internet is a network of networks connecting computer systems throughout the world. In addition to E-Mail capability, other applications such as news groups, gopher, file transfer protocol (FTP), telnet, wide area information service (WAIS), and the world-wide-Web (WWW or Web) are available on the Internet.

4. General Policy

- 4.1 All uses of City computer equipment, electronic systems and electronic data, including E-Mail and the Internet, are limited to work-related purposes only. Use of E-Mail and the Internet is provided as a means of efficient and effective communication, as a tool to obtain specific data pertinent to City business and for other purposes that benefit the City.
- 4.2 All computer files are the property of the City of San Diego, regardless of their physical location or the form in which they are maintained. These include, but are not limited to, computer data files, documents, databases, spreadsheets, calendar entries, appointments, tasks and notes which reside in part or in whole on any City electronic system or equipment.
- a. The City reserves the right to access and disclose all messages and other electronic data sent over its E-Mail system or stored in computer files of City computers. City-related computer files created on remote access personal computers must be made accessible upon request in City standard formats.
- b. The City shall have the right to delete or retain any or all E-Mail messages or computer files of a City employee who is no longer employed by the City. It is the responsibility of the Department to ensure access to City systems are terminated and all computer files are retained by the City when an employee leaves City employment.
- c. All copyrights and other intellectual property rights which are in any way related to City activities and which are created by City employees while they are employed by the City of San Diego are the exclusive property of the City of San Diego.
- 4.3 SDDPC is responsible for providing, operating and maintaining the Network E-Mail systems, the City's SANNET network, and Internet connection. SDDPC is charged with the responsibility of protecting the City's SANNET network and City computer systems from intrusion from outside sources.
- 4.4 City employees, as users, are provided access to E-Mail and the Internet as approved by Department Directors or designee. Departmental management has the primary responsibility for evaluating an employees request for use and for ensuring adherence to this policy. The Supervisor is responsible for overseeing the employee's use of E-Mail and the Internet.

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- 4.5 A City employee is responsible for his/her actions in accessing the City of San Diego's computer systems, SANNET network and the Internet. Authorized users of the Internet are required to attend an Internet Policy Orientation conducted by Information Technology & Communications.
- 4.6 When using the City's E-Mail system or the Internet to communicate with others external to the City organization, the user shall recognize that he/she is representing the City of San Diego and therefore must communicate in a business-like manner and ensure the communication is not in conflict with City policies.
- 4.7 Users must be responsible in their use of the network. Any actions that may cause interference to the network or the work of others on the network, including but not limited to, extensive file transfers, is prohibited.
- 4.8 Use of E-Mail or the Internet in any way to facilitate the conduct of a private commercial purpose is strictly forbidden. The network should not be used for commercial traffic, other than that related to the operation of the City.
- 4.9 Employees shall be disciplined in accordance with standard City procedures for improperly using or knowingly allowing the improper use of the City's E-Mail system or the Internet as stated in this regulation. Abuse of City computer resources may result in disciplinary action, up to and including termination and criminal prosecution if deemed appropriate.
- 4.10 All employees shall cooperate fully with all investigations, including judicial and court investigations, regarding the abuse of the City's SANNET network, City computers systems and the Internet.

5. E-Mail Policy

- 5.1 E-Mail, and the electronic distribution of documents, are subject to all the same laws, policies and practices that apply to other means of communication, such as telephone and paper documents and records. This includes, but is not limited to, product endorsements, copyright laws, software licensing, patent laws, record retention, and proper business correspondence practices.
- a. Transmission of any material in violation of Federal or State laws or regulations and City policy and procedures is prohibited.
- b. Any improper use of E-Mail, including, but not limited to the following, is strictly prohibited:
- 1) Theft and/or forgery (or attempted forgery) of E-Mail messages or electronic documents.
 - 2) Unauthorized reading, deleting, copying, or modifying of E-Mail of other users.

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- 3) Sending harassing, discriminating and/or other threatening E-Mail to a user or sending any message that may create a hostile work environment.
 - 4) Any attempts at sending unsolicited junk mail, for-profit messages, chain letters or any mass mailings of a non-work related nature.
 - c. Under the Public Records Act, any E-Mail can be a public record. Employees should be aware that electronic records are subject to the mandatory public disclosure requirements of the Public Records Act, subject to the exceptions under the Act. Public Records Act requests should be handled in accordance with the City policy direction as stated in A.R. 95.20.
- 5.2 E-Mail communication shall not contain confidential City information. Employees are expected to exercise good judgment in sending any messages and documents, especially if it is deemed sensitive.
- 5.3 A City employee is responsible for all E-Mail messages originating from his/her user E-Mail address. The sender of E-Mail messages and any attached documents must retain the primary responsibility for seeing that the communication is received by those intended.
- 5.4 City employees shall not send mass E-Mailings on a "City-wide" basis to all employees without prior written authorization of their Department Director and approval by Information Technology & Communications.
- 5.5. Network E-Mail files are not backed up by SDDPC on permanent basis.
- a. The City (SDDPC) stores E-Mail only to the degree that allows the City to restore current E-Mail in the event of a system failure.
 - b. E-Mail is not intended to be a permanent storage medium. Therefore, the user should remove any transitory messages on a regular basis, delete obsolete messages or copy substantive messages to other computer file folders for future referral. Any official documents should be transferred to an organized and secure system for City records retention purposes or Public Records Act compliance.
 - c. However, in view of the nature of the Internet and of standard computing and telecommunications practices, the employee should assume that copies (back-up copies or otherwise) of E-Mail messages and other electronic documents may exist on other systems even though the sender and the recipient have discarded their copy of the document.

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- 5.6 City employees who have been provided E-Mail capability have an obligation to read incoming messages generally within 24 hours and to respond to them promptly in a customer-driven manner.

6. Internet Policy

- 6.1 Downloading or transferring extensive documents and/or files is discouraged during peak business hours and should only be performed on a very selective basis. Large files, especially those with graphics, audio, or video, each having high bandwidth requirements, can adversely affect the performance of the City's SANNET network.
- 6.2 Users are not permitted to download "public domain" software without approval as specified in A.R. 90.61. Free upgrades for newer versions of approved and previously licensed software can be obtained by downloading. Downloading of beta versions or test copies for review should be done cautiously as they may not be supported. Any SDDPC costs to repair damage incurred to any hardware, software or data when downloading will be the responsibility of the Department.
- 6.3 It is the responsibility of the user to check for copyright or licensing agreements when downloading files and other electronic data. If there is any doubt, do not copy it.
- 6.4 When downloading, take all precautions against the importation of computer viruses including the scanning of files obtained via the Internet utilizing a virus scanning program before the file is accessed on City systems.
- 6.5 Users are not permitted to load file transfer protocol (FTP) server software due to security risks to the City's SANNET network and City computer systems. City employees shall not create newsgroups or discussion groups on the Internet or establish mailing list servers and/or function as List Owners without the approval of Information Technology & Communications.
- 6.6 For security reasons, internal City users can telnet out through the SANNET gateway, but external non-City users cannot telnet into City systems on SANNET.
- 6.7 City Departments shall use the City's home page Web site for all Internet postings, and shall not create new Web sites or obtain Internet services outside of SDDPC without the approval of Information Technology & Communications. Personal or employee Web home pages or sites are not permitted on the City's Web site or any City server.
- 6.8 The development and management of the City's Web site (<http://www.sannet.gov>) is coordinated by Information Technology & Communications. Information Technology & Communications is the final arbitrator for approving the content submitted by departments for appropriateness, style, structure and functionality.

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APPENDIX

Legal References

AR 95.60, Conflict of Interest and Employee Conduct.
AR 45.50, Private Use of City Labor, Equipment, Materials, and Supplies Prohibited.
AR 90.20, Telephone Usage.
AR 95.20, Pricing and Furnishing City Documents.
AR 90.61, Use of Microcomputer Hardware and Software

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